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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/672,869	09/26/2003	Chin-Chin Chang	Midway - 608	4653

7590 11/03/2004

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EXAMINER

PRONE, JASON D

ART UNIT	PAPER NUMBER
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3724

DATE MAILED: 11/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/672,869

Applicant(s)

CHANG, CHIN-CHIN

Examiner

Jason Prone

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kim in view of Ai. Kim discloses the invention including a body (70) adapted to be secured on a work table of a saw (54), that the body includes a through hole defined in and extending through the body (53), a cavity defined in the body and communicating with the through hole (65), a threaded rod extending through the body via the through hole (30), that the threaded rod includes a first end having a knob (32) and a second end having a clamping plate (31), a braking block partially received in the cavity and reciprocally pivotally moved relative to the body (40), that the braking block includes a curved groove defined in one end and having multiple spirals formed on the bottom of the groove (43), an actuator extending from the braking block (44), and a pin laterally extending through the body and the braking block to hold the braking block in place (80) but fails to disclose a torsion spring mounted to the braking block having a first end abutting against the body and a second end abutting against the actuator and a recess defined in one side of the braking block for receiving the torsion spring. Ai teaches torsion spring mounted to the braking block (54) having a first end abutting against the body (512) and a second end abutting against the actuator (Fig. 4) and a recess defined

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in one side of the braking block for receiving the torsion spring (Fig. 5). Therefore it would have been obvious to one of ordinary skill in the art, at the time of the invention, to have provided Kim with a torsion spring, as taught by Ai, to provide additional braking force from the brake block to the threaded rod.

3. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kim in view of Ai as applied to claim 1 above, and further in view of Shih. Kim and Ai disclose the invention but fail to disclose a protrusion laterally extending from a bottom of the recess and extends through the torsion spring and that the pin extends through the braking block relative to the protrusion. Shih teaches a protrusion laterally extending from a bottom of the recess and extends through the torsion spring (26) and that the pin extends through the braking block relative to the protrusion (23). Therefore it would have been obvious to one of ordinary skill in the art, at the time of the invention, to have provided Kim in view of Ai with a protrusion, as taught by Shih, to prevent the spring from interfering with the movement of the braking block.

Response to Arguments

4. Applicant's arguments filed 09 September 2004 have been fully considered but they are not persuasive. The apparatus disclosed in the Kim patent clearly discloses a through hole that partially receives the threaded rod (43 in Fig. 8). Without a through hole of some sort the threaded rod would not be able to pass through the clamp mechanism as shown in Fig. 8. The Ai patent teaches the Kim patent that it is old and well known to incorporate a torsion spring and a recess to receive the torsion spring only. The Kim patent covers the clamping function and all other claimed functions. For

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example, Ai may not concern to a threaded rod but the Kim patent already covers that limitation. Also, the second end of the torsion spring in Ai clearly abuts against the bottom side of the actuator as seen in Figure 4. Therefore, the rejection is valid and will remain.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason Prone whose telephone number is 703-605-4287. The examiner can normally be reached on 7:30-5:00, Mon - (every other) Fri.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan N. Shoap can be reached on 703-308-1082. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JP
October 27, 2004



Allan N. Shoap
Supervisory Patent Examiner
Group 3700